

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JUANA RAMIREZ,

Defendants.

4:12CR3097

MEMORANDUM AND ORDER

Defense counsel has moved to withdraw due to a conflict of interest. (Filing No. 67). The defendant Juana Ramirez is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS ORDERED:

- 1) Defense counsel's motion to appoint new counsel, (filing no. 67), is granted. Carlos A. Monzon is hereby withdrawn as counsel, and he shall promptly notify the defendant of the entry of this order.
- 2) The clerk shall delete Carlos A. Monzon from any future ECF notifications herein.
- 3) The clerk shall forward this memorandum and order to the Federal Public Defender.
- 4) The Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.
- 5) The newly appointed counsel shall promptly file an entry of appearance on behalf of the defendant.
- 6) The trial set for May 13, 2013 is continued pending further order of the court.

- 7) A status conference will be held at 2:00 p.m. on April 23, 2013 before the undersigned magistrate judge in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- 8) The defendant, defense counsel, and counsel for the government shall attend.
- 9) The court was advised of defense counsel's potential conflict of interest on April 9, 2013. Accordingly, the time between April 9, 2013 and April 23, 2013, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because the defendant needs new counsel, additional time is needed to adequately prepare this case for trial, and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

April 12, 2013.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge